

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**CASE NO.: 2:10-CR-170
JUDGE SMITH
MAGISTRATE JUDGE DEAVERS**

MONICA MARTINEZ SOTO,

Defendant.

ORDER

On July 9, 2010, the Magistrate Judge issued a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1), recommending that the Court accept Defendant Monica Martinez Soto's guilty plea to the Information charging her with one count of being an alien found unlawfully in the United States after previously being deported in violation of 8 U.S.C. §1326(a).

Defendant, represented by counsel, waived her right to appear on the matter before a District Judge. The Magistrate Judge addressed the Defendant personally and in open court and advised her of the rights referred to in Rule 11 of the Federal Rules of Criminal Procedure. Having engaged in the colloquy required by Rule 11, the Magistrate Judge concluded that Defendant's plea was knowing, voluntary, free from coercion, and had a basis in fact.

Defendant was specifically informed of her right to contest the Report and Recommendation by filing any objections within 10 days of the issuance of the Report and Recommendation pursuant to 28 U.S.C. §636(b)(1)(B) and Rule 72(b) of the Federal Rules of Civil Procedure. Defendant did not file any objections.

Accordingly, the Court **ADOPTS** the Report and Recommendation and **ACCEPTS** Defendant's plea of guilty to Count One of the Information. Defendant is hereby adjudged guilty of being an alien found unlawfully in the United States after having previously been deported.

IT IS SO ORDERED.

/s/ George C. Smith
GEORGE C. SMITH, JUDGE
UNITED STATES DISTRICT COURT